

REMARKS

Applicant wishes to thank the Examiner for the courtesy extended in granting an interview on such short notice. A telephone interview was held on February 14, 2008 between the Examiner, Mr. Kunemund and Applicant's attorney of record.

As explained during the interview and pursuant to the subject amendment, claim 1 is amended to incorporate the limitations of claim 12 requiring the ferroelectric single crystal layer to be grown on the electrode layer forming a structure having the composition of formula (1), which is relatively narrow in scope. The structure of the perovskite crystal structure as expressed in claim 1, possesses a very high dielectric constant of greater than about 2000, whereas the conventional PZT film has a dielectric constant of less than about 500. There is also a significant difference in the loss piezoelectric constant which, for a ferroelectric material of formula (I), is less than .003, whereas the typical loss piezoelectric constant for a conventional PZT film is above about .006. This is taught in the specification on page 4, lines 21-27 and on page 5, lines 1-2.

Applicant believes this demonstrates a significant difference in the properties of the ferroelectric single crystal as now defined in claim 1 limited to formula

(1), which would not be obvious from the teaching in the cited reference Dhote et al (USP 5,777,356).

Accordingly, claim 1 as amended is believed to be patentable over Dhote '356 and the rejection thereof under 35 USC 103(a) should be withdrawn.

Claims 10, 11, 13, 15 and 16 are dependent claims which are believed patentable for the same reasons as given above.

Applicant also believes that claims 2, 5, 6, 7, 9 and 14 are also patentable over Dhote et al under 35 USC 103(a) for the same reasons as given above, in that each of these claims are dependent claims.

The Examiner has agreed to expedite a review of amended claim 1 to determine if it places the application in condition for allowance and if not, to telephone Applicant's attorney at 212-278-1307 should the Examiner believe that further amendments may be necessary or that a new search is needed so that Applicant may file an RCE without incurring unnecessary expense for extensions of time beyond a first extension period which will expire on March 14, 2008.

Reconsideration and allowance of claim 1 as currently amended and claims 2, 5, 6, 7, 9, 10, 11, 13, 14, 15, and 16 is respectfully solicited.

Respectfully submitted
Attorney for Applicant,

By: 

Eugene Lieberstein
Registration No. 24,645

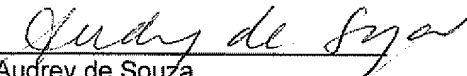
Dated: February 14, 2008

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ANDERSON KILL & OLICK, P.C.
1251 Avenue of the Americas
New York, New York 10020-1182
(212) 278-1000

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this Amendment is being submitted via EFS-Web and is addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 14, 2008.


Audrey de Souza